

MINUTES

SWVMHI LOCAL HUMAN RIGHTS COMMITTEE MEETING



Thursday, November 9, 2006
SWVMHI Henderson Building ~ Room 106
12:00 Noon

MEMBERS PRESENT:

Deidra Mathena, Chairperson
Leslie Birch, Vice Chairperson
Claudia Duffy
Trudy Combs
Benjamin Plummer
Phillip Moser
Peggie Roland

OTHERS PRESENT:

Cynthia McClaskey, Ph.D., Facility Director, SWVMHI
Anthony Gage, L.C.S.W., Community Services Director, SWVMHI
Gary Burns, Administrator, Keystone Youth of Marion
Nick Brown, Risk Manager, Keystone Youth of Marion
Keith Lowry, Clinical Director, Keystone Youth of Marion
Elvira McCleese, Ph.D., Psychologist, Keystone Youth of Marion
Kaatri Anderson, L.C.S.W., A.C.S.W., Senior Life Solutions of JMH
Karla Whitten, RN, Program Director, Senior Life Solutions of JMH
Tim Meador, MSW, Consultant, Senior Life Solutions of JMH
Nan Neese, Regional Human Rights Advocate
Deborah Jones, L.C.S.W., Human Rights Advocate
Lisa Berry, Secretary

CALL TO ORDER

The Local Human Rights Committee (LHRC) was called to order by Deidra Mathena, Chairperson, at 1:00 P.M. on Thursday, November 9, 2006, in the Henderson Building, Room 106, of Southwestern Virginia Mental Health Institute.

APPROVAL OF MINUTES

A motion was made and unanimously approved to accept the minutes of the September 14, 2006, meeting.

SWVMHI

The motion was made and passed to go into Closed Session pursuant to Virginia Code §2.2-3711.A.(4) and (15), for the protection of privacy of individuals in personal matters not related to public business and to review medical records, namely to conduct a review pursuant to the regulations.

Upon reconvening in public session, the Local Human Rights Committee unanimously certified that only public business matters lawfully exempt from statutory open meeting requirements, and only public business matters identified in the motion to convene the Closed Session were discussed in the Closed Session.

The following reports, including client-identifying information, were heard and actions taken:

BARRIERS TO DISCHARGE REPORT (Closed Session)

Anthony Gage, L.C.S.W., reviewed with the Committee the current Barriers to Discharge Report for patients within SWVMHI.

PATIENT CASE REVIEWS/UPDATES (Closed Session)

Cynthia McClaskey, Ph.D., provided the Committee updates on the following patients: H.H., Ward J; S.E., Ward J; and T.J.M., Ward J. Deborah Jones, L.C.S.W., Human Rights Advocate, updated the LHRC on the current condition of G.F.C., Geriatric Services.

SECLUSION/RESTRAINT REVIEW OF Y-T-D DATA (Closed Session)

Cynthia McClaskey, Ph.D., presented a review of the seclusion/restraint data for the period of September through October 2006.

ABUSE/NEGLECT REPORT (Closed Session)

Cynthia McClaskey, Ph.D., provided the L.H.R.C. with a report of abuse and neglect cases for the period of September through October 2006.

INFORMAL/FORMAL COMPLAINTS (Closed Session)

Cynthia McClaskey, Ph.D., provided the L.H.R.C. with a report of the number of informal and formal complaints received at SWVMHI for the period of September through October 2006.

REPORT AND REQUEST FOR CONTINUATION OF HIPAA MODEL ACCOUNTING VARIANCE (Open Session)

The LHRC received a request for continuation of the variance granted to SWVMHI in 2003, concerning 12VAC 35-115-10 et. seq. The variance was granted to create consistency between the referenced section of **Rules and Regulations to Assure the Rights of Individuals Receiving Services From Providers of Mental Health, Mental Retardation and Substance Abuse Services** and the **Health Insurance Protection and Portability Act of 1996 (HIPAA)**. There have been no complaints from facility staff, patients, or families in connection with the variance or the implementation process. Dr. McClaskey has monitored this process and can assure compliance with the conditions and requirements approved by the variance during the specified time frame. SWVMHI requested the continuation of the variance for an additional year.

A motion was made by Trudy Combs to recommend to the SHRC approval of the continuation of the Model Accounting Variance, concerning 12VAC 35-115-10 et. seq. The motion was seconded and unanimously approved. The Variance Report will be forwarded to the SHRC for approval. The Variance will be reviewed by the LHRC in one year.

DIRECTOR'S ISSUES (Open Session)

Dr. Cynthia McClaskey updated the Committee on the following issues:

- All Psychiatry positions at the facility have been filled.
- Census at SWVMHI continues to be high with high medical and psychiatric acuity. Concerns noted about the need for additional funds in the region.
- Dr. McClaskey met with the DMHMRSAS Health Board in September and provided an overview of the needs of the region.
- Governor Kaine visited the facility September 18, 2006.

A motion was made by Claudia Duffy for the Committee to form a subcommittee to study mental health services funding available to the Far Southwestern region of the State. The motion was seconded and unanimously approved. A subcommittee was formed to review information. Members of the subcommittee will be Claudia Duffy, Deidra Mathena, and Benjamin Plummer. The subcommittee will keep the LHRC apprised of their work and any recommendations..

KEYSTONE YOUTH OF MARION

The motion was made and passed to go into Closed Session pursuant to Virginia Code §2.2-3711.A.(4) and (15), for the protection of privacy of individuals in personal matters not related to public business and to review medical records, namely to conduct a review pursuant to the regulations.

Upon reconvening in public session, the Local Human Rights Committee unanimously certified that only public business matters lawfully exempt from statutory open meeting requirements, and only public business matters identified in the motion to convene the Closed Session were discussed in the Closed Session.

The following reports, including client-identifying information, were heard:

ABUSE/NEGLECT REPORT (Closed Session)

Nick Brown provided the L.H.R.C. with a report of abuse and neglect cases for the months of September and October 2006.

SECLUSION/RESTRAINT REVIEW OF Y-T-D DATA (Closed Session)

Nick Brown presented a review of the seclusion/restraint data for the period of September and October 2006.

FORMAL COMPLAINTS (Closed Session)

Nick Brown reported there were no complaints received during September and October 2006 at Keystone Youth of Marion.

REQUEST FOR RENEWAL OF AFFILIATION AGREEMENT (Open Session)

A request by Gary Burns was made to renew the affiliation agreement with the SWVMHI LHRC. A motion was made by Claudia Duffy to approve the renewal of the affiliation agreement and unanimously approved.

ADMINISTRATOR'S ISSUES

- Elvira McCleese, Ph.D., was introduced to the LHRC as a new psychologist at Keystone.
- Gary Burns announced that he would be remaining at Keystone Youth of Marion in the position of Administrator on a permanent basis. Mr. Burns to review the different status levels of patients at the January 2007 LHRC meeting.
- A new therapist has been hired at Keystone and will start on November 20, 2006.

SENIOR LIFE SOLUTIONS OF J.M.H.

Kaatri Anderson, LCSW, ACSW, Karla Whitten, RN, Program Director, and Tim Meador, MSW, Consultant, were present to provide an overview of Senior Life Solutions of Johnston Memorial Hospital and to request affiliation with the SWVMHI LHRC.

Ms. Anderson explained that the program at Senior Life Solutions offers intensive, outpatient, group counseling for older adults who are having difficulty coping with life's challenges.

The Committee received in their packets for review and approval the *Patient Handbook* and *Policies Implementing the Rules and Regulations to Assure the Rights of Individuals Receiving Services*. A motion was made by Phillip Moser to approve the Patient Handbook contingent upon recommended changes and to accept the Policies at this time in addition to the request that finalized copies of policies and procedures be presented to the Committee at its next regular meeting. The motion was seconded and unanimously approved.

A motion was made by Leslie Birch to accept the temporary affiliation of Senior Life Solutions of Johnston Memorial Hospital with the SWVMHI LHRC until the next regularly scheduled meeting. The motion was seconded and unanimously approved.

ADVOCATE/COMMITTEE ISSUES

Ridgeview Pavilion

Deborah Jones, LCSW, announced there were no incidents for the period of September and October 2006 to report out on for Ridgeview Pavilion.

LHRC Meeting Schedule for 2007

LHRC members were in agreement to remain with the current meeting schedule for 2007, which is meeting the second Thursday of odd months. Regular LHRC meetings will be as follows:

- January 11, 2007
- March 8, 2007
- May 10, 2007
- July 12, 2007
- September 13, 2007
- November 8, 2007

NEXT MEETING DATE

The next L.H.R.C. meeting is scheduled for **Thursday, January 11, 2007**, at 12 Noon in Room 106 of the Henderson Building on the grounds of SWVMHI.

ADJOURNMENT

The meeting was adjourned at 4:34 P.M.

Chair

/llb

pc: Margaret Walsh, State Human Rights Director; Nan Neese, Regional Human Rights Advocate; Local Human Rights Committee; Cynthia McClaskey, Ph.D.; SWVMHI Facility Director; Gary Burns, Acting Administrator, Keystone Youth of Marion; Andra Savage, Psychiatric Services, Ridgeview Pavilion; and Kaatri Anderson, Senior Life Solutions.